

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

Gemini IP, LLC

Plaintiff

v.

LanDesk Software, Inc., et al

Defendant

Civil Action No. 4:07-cv-521

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Elsinore Technologies, Inc.
By and through its agent for service
K. Ray Allen
4700 Six Forks Road
Raleigh, North Carolina 27609-5244

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Andrew W. Spangler
Spangler Law P.C.
208 N. Green Street, Suite 300
Longview, Texas 75601

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS
REC. 29 2010

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 11/10/10



CLERK OF COURT

David Maloney

Signature of Clerk or Deputy Clerk

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Civil Action No. 4:07-cv-521

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Elsinore Technologies, Inc.
was received by me on *(date)* 11/19/2010.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

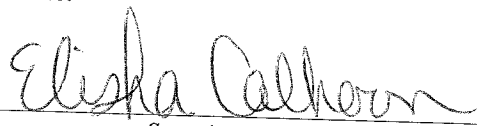
☐ I returned the summons unexecuted because _____; or

☒ Other *(specify)*: Served certified mail, RRR #7009 2250 0002 8915 1193.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 12/10/2010



Server's signature

Elisha Calhoon - Certified Paralegal

Printed name and title

208 N. Green Street, Suite 300
Longview, Texas 75601

Server's address

Additional information regarding attempted service, etc:

7009 2250 0002 8915 1193

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

RALEIGH NC 27609

Postage	\$ 4.90	0601 Postmark Here NOV 12 2010 RALEIGH NC 27609
Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 10.00	11/12/2010

Sent To: Elsinore Technologies, Inc.
 By and through its agent for service
 K. Ray Allen
 4700 Six Forks Road
 Raleigh, North Carolina 27609-5244

PS Form 3811, February 2004

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Elsinore Technologies, Inc.
 By and through its agent for service
 K. Ray Allen
 4700 Six Forks Road
 Raleigh, North Carolina 27609-5244

2. Article Number (Transfer from service label) 7009 2250 0002 8915 1193

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent
☒ Addressee

B. Received by (Printed Name) J. Bishop

C. Date of Delivery 11-19-10

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☒ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

NOV 19 2010
 RALEIGH NC 27609

102595-02-M-1540